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removed. Even this small fragment suggests that the rampart surrounding the fort was very strong. Nothing is known about the position of the gates. In 1906-7 rather extensive excavations were made in search of the west wall of the rampart, a section of which, 44 feet long and about 7 feet wide, was finally disclosed, the essential part being a thick layer of bowlders packed in a light-colored clay. Running close to the inner face of the wall was a cobblestone pavement, two feet nine inches wide, which was probably earlier than the wall itself. The existence of a trench (*fossa*) on the outside of the wall cannot be determined. Near by were found coins of Hadrian, of the Antonines, and of Julia Domna. A tile stamped with C I I I B R was discovered in the course of the excavations, as well as millstones, fragments of Samian ware, *fibulae*, and a few architectural fragments. Extensive remains of a red sandstone flooring also were laid bare within the area of the fort not far from the wall; possibly it belonged to a street. This section of the book, written by Mr. Bruton, is made clear by three large folding plans and several good photographs. The chapter concludes with a detailed description, accompanied by measurements and photographs or drawings, of the objects found, all of which are later than the first century A.D.

The objects in the Ellesmere collection of Roman antiquities, found on or near the site of the fort between 1828 and 1832, are next described. They comprise an altar and interesting pieces of bronze, lead, and earthenware, including a bronze *phalera* and two circular brooches. In an appendix to the volume is a full description of the more than two thousand Roman coins found at various times at Manchester. They date from Augustus to the end of the fourth century, those of the first half of the fourth century being most numerous.

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*Der Zeuge im attischen Recht.* By ERNST LEISI. Frauenfeld, 1908. Pp. vii + 167.

The important and difficult subject of the Attic law of evidence, after remaining practically untouched for many years, has recently been illuminated by two works published in 1905 and 1908. The latter, however, was in the main complete when the former appeared, and we have thus another instance of the curious yet frequent coincidence by which two scholars take up independently the study of some long-neglected subject. I may therefore be permitted to mention that I had myself blocked out a treatise on the Attic law of evidence in 1904, which was intended to take the form of a comparison with the rules in English law; but when Dr. Bonner's work<sup>1</sup> appeared, I determined not to pro-

<sup>1</sup>Robert J. Bonner, *Evidence in Athenian Courts*, Chicago, 1905.

ceed with this plan, for the time being at any rate. Both Dr. Bonner and Dr. Leisi intend a comparison with modern systems of evidence, though in neither case is this fully carried out; and Mr. Wyse<sup>1</sup> implies that no such comparison is possible, because the Athenians did not in reality possess any system at all. This is not the impression made upon my mind: on the contrary, I should be inclined to go to what is perhaps the opposite extreme, and describe the Athenian system as displaying common-sense to a far more uncommon degree than our own. It is true that in practice the results were probably no better than our own, but that was because the rules were not enforced; and the license thus allowed to litigants in the lawcourts was the natural concomitant and one of the inevitable penalties of the most perfectly logical, and therefore most entirely absurd, democracy known to history.

Mr. Wyse declared (p. 57) that "Dr. Bonner's survey of the subject is the best in existence, and should be read by all who are interested in Greek law." It was, indeed, up to the present, the sole work which the student need trouble to consult; but, while it still remains indispensable, room must be found beside it on the shelves for Dr. Leisi's book, the nature of which I now proceed to describe.

In the first of the two parts into which the author has divided his work, he deals with the various questions connected with the witness as a person bearing testimony to facts within his experience. Competent and incompetent witnesses, refusal to testify, compellability, the oath, the procedure, admissibility of evidence, the punishment of perjury—all these matters are treated with lucidity, acuteness, and learning, and with constant references both to the ancient authorities and to the more or less valuable discussions of modern students. The second part treats of the persons called in to act as witnesses of any important step, should the necessity ever arise. Dr. Leisi calls such a person a *Solemnitätszeuge*, and the opening paragraph of this part may be quoted to show his excellent qualities as a writer:

Solemnitätszeugen nennen wir diejenigen Personen, die zu Rechtsgeschäften oder zu prozessualisch wichtigen Akten beigezogen werden, um ihnen durch ihre Gegenwart grösseren Nachdruck oder überhaupt erst die Rechtsgültigkeit zu verschaffen und eventuell später vor Gericht das Wahrgenommene zu bezeugen. Sie finden im attischen Recht eine überaus häufige Anwendung. Die Gründe dazu liegen teils in der geringen Ehrlichkeit der Athener, teils in dem Umstande, dass die Athener die handschriftliche Unterschrift als Gewähr für die Echtheit einer Urkunde viel weniger verwenden, als wir. Deshalb müssen sie die Integrität der Dokumente sichern durch Beiziehung von Solemnitätszeugen bei ihrer Abfassung und Eröffnung.

When the reviewer of such a book as this turns from general description to the consideration of details, he is at once met by the difficulty

<sup>1</sup> In his notice of Dr. Bonner's book, *Classical Review* XX, 56.

known as an *embarras de richesse*. Every page yields points of interest upon which he would willingly dilate, either in the way of bringing additional arguments to support the author's view, or else in way of refutation. As this is manifestly impossible in a brief review, I defer to another occasion the discussion of some points of interest connected with this subject; in the meantime I would conclude this article by saying that Dr. Leisi has produced a book of very great value, displaying both erudition and acuteness, and forming a really serious contribution to the study of Greek law. I have noted a number of incorrect references, but the great defect of the book is that it possesses no index.

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*Commentaire anonyme sur Prudence d'après le manuscrit 413 de Valenciennes.* Par JOHN M. BURNAM. Paris: A. Picard et Fils, 1910. Pp. 300.

In this work Professor Burnam, whose interest in the glosses on Prudentius has already been shown by his *Glossemata de Prudentio* (1905), prints a hitherto unpublished commentary on that author from a MS in the municipal library at Valenciennes. A brief preface states that the transcription was made in part by the editor and in part by M. Hénault, assistant librarian at Valenciennes. A detailed description of the MS is reserved for another occasion, but the announcement is made that it was copied by a Low German or Netherlandish scribe, and that the work itself is to be assigned to Remi d'Auxerre (the commentator on Donatus, Martianus Capella, and other authors). It may here be stated that two references in the glosses to Johannes Scotus furnish a *terminus post quem*.

The glosses contain little original information, but much second-hand learning, the sources of which Professor Burnam has carefully traced, line by line, in a long appendix. The author was acquainted with the Greek language and many of his glosses are but translations of Greek words, but the limits of his knowledge of Greek history and literature may be seen, for example, in the passage on p. 69, l. 233, where it is not Socrates but Pythagoras who is forced by the Athenians to drink hemlock, or on p. 220, l. 1113, where he says: "Tragoediae sunt carmina quae privatorum hominum miserias continent." (Contrast Arist. *Poet.* xiii, and see note on the passage in Burnam's appendix.) His knowledge of the city of Rome is hardly based upon personal observation, for he says (p. 53, l. 508): "Tarpeius mons est Romae in quo Capitolium et Pantheon." It would be of interest to know the source of his limitation (p. 125, l. 188) of the number of the Cyclades to nine; Strabo, Mela, and Pliny the Elder enumerate from twelve to fifteen of them.